

PROCEDURAL MATTERS

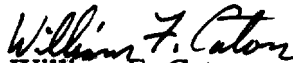
56. Final Regulatory Flexibility Analysis. The Final Regulatory Flexibility Analysis, required by the Regulatory Flexibility Act of 1980, 5 U.S.C. Section 608, is contained in Appendix A.

ORDERING CLAUSES

57. IT IS ORDERED that Part 15 of the Commission's Rules and Regulations ARE AMENDED as specified in Appendix C, effective 60 days after publication in the Federal Register, upon clearance from the Office of Management and Budget on the information collection requirements, or 60 days from submission of a report to Congress in compliance with the Contract with America Advancement Act of 1996, whichever is the later date. IT IS ALSO ORDERED that the proceeding in GEN Docket No. 90-413 IS TERMINATED. The authority for issuance of this Report and Order is contained in Sections 4(i), 301, 302, 303(e), 303(f), 303(r), 304 and 307 of the Communications Act of 1934, as amended, 47 U.S.C. Sections 154(i), 301, 302, 303(e), 303(f), 303(r), 304 and 307.

58. For further information regarding this Report and Order contact Anthony Serafini, Office of Engineering and Technology, (202) 418-2456.

FEDERAL COMMUNICATIONS COMMISSION


William F. Caton
Acting Secretary

APPENDIX A

FINAL REGULATORY FLEXIBILITY ANALYSIS

Pursuant to 5 U.S.C. Section 603, an Initial Regulatory Flexibility Analysis was incorporated in the Notice of Proposed Rule Making (NPRM) in ET 95-19. Written comments on the proposals in the NPRM, including the Regulatory Flexibility Analysis, were requested. The following Final Regulatory Analysis has been prepared:

Need and purpose of this action: This action determines the standards, test procedures, and equipment authorization requirements that will be applied to personal computers in order: 1) to reduce regulatory burdens on computer manufacturers; 2) to remove impediments to flexible system design and construction techniques for computers; and, 3) to reduce the potential for interference to radio services by improving our ability to ensure that personal computers comply with our standards.

Summary of the issues raised by the public comments in response to the Initial Regulatory Flexibility Analysis: No commenting parties raised issues specifically in response to the initial regulatory flexibility analysis.

Significant alternatives considered: None.

APPENDIX B

COMMENTING PARTIES

Parties Filing Comments:

1. American Association for Laboratory Accreditation (A2LA)
2. The American Radio Relay League (ARRL)
3. Apple Computer, Inc. (Apple)
4. The Association for Maximum Service Television (MSTV)
5. The Association of Federal Communications Consulting Engineers (AFCCE)
6. AST Computers (AST)
7. AT&T
8. Burle Industries, Inc. (Burle)
9. C&C Laboratories (C&C)
10. Canon
11. Carl T. Jones
12. Certitech Corporation (Certitech)
13. CKC Laboratories, Inc. (CKC)
14. Coalition of Concerned Independent Testing Laboratories (CCITL)
15. Communication Certification Laboratory (CCL)
16. Compaq Computer Corporation (Compaq)
17. Compliance Engineering Services, Inc. (CES)
18. Computing Technology Industry Association (CompTIA)
19. Consumer Electronics Group of the Electronic Industries Association (EIA/CEG)
20. Dell Computer Corporation (Dell)
21. Diversified T.E.S.T. Technologies, Inc. (Diversified)
22. Electromagnetic Engineering Services, Inc. (EESI)
23. Elite Electronic Engineering Company (Elite)
24. Gateway 2000, Inc. (Gateway)
25. GMC Laboratories (GMC)
26. Hewlett-Packard Company (HP)
27. Hong Kong Economic and Trade Office
28. International Business Machines Corporation (IBM)
29. The Information Technology Industry Council (ITI)
30. The Information Technology Association of Canada (ITAC)
31. Intel Corporation (Intel)
32. Intellistor O.A.T.S. (Intellistor)
33. The International Compliance Corporation (ICC)
34. Larry Lambert
35. Mark Lapchak and Associates
36. MicroENERGY, Inc. (MicroENERGY)
37. Motorola

38. NEC Technology (NEC)
39. Michael Nicolay
40. Norand Corporation (Norand)
41. PCTEST Engineering Laboratory (PCTEST)
42. M. A. Plante
43. Retlif Testing Laboratories (Retlif)
44. Bruce Reynolds
45. Scientific-Atlanta (SA)
46. Silicon Graphics (SI)
47. Richard Smith
48. Sony Electronics (Sony)
49. Spirit Technologies (Spirit)
50. Sun Microsystems Computer Company (Sun)
51. Taipei Economic and Cultural Representative Office
52. Texas Instruments (TI)
53. Timco Engineering
54. Tokin
55. The Unisys Corporation (Unisys)
56. U. S. Department of Commerce
57. Washington Laboratories (WL)

Parties Filing Reply Comments:

1. AT&T
2. Capital Cities/ABC
3. EIA/CEG
4. Gateway
5. HP
6. Howard Forman
7. ITI
8. Motorola
9. Richard Smith
10. Spirit
11. The Telecommunications Industry Association User Premises Equipment Division (TIA)
12. Vtech Computers, Inc. (Vtech)
13. Xerox

APPENDIX C

A. Title 47 of the Code of Federal Regulations, Part 0, is amended as follows:

1. The authority citation for Part 0 continues to read as follows:

Authority: Secs. 5, 48 Stat. 1068, as amended; 47 U.S.C. 155.

2. Section 0.241 is amended by adding a new paragraph (f), to read as follows:

Section 0.241 Authority delegated.

* * * * *

(f) The Chief of the Office of Engineering and Technology is authorized to enter into agreements with the National Institute of Standards and Technology and other accreditation bodies to perform accreditation of test laboratories pursuant to Section 2.948(d) of this chapter. In addition, the Chief is authorized to make determinations regarding the continued acceptability of individual accrediting organizations and accredited laboratories.

B. Title 47 of the Code of Federal Regulations, Part 2, is amended as follows:

1. The authority citation for Part 2 continues to read as follows:

Authority: Sec. 4, 302, 303, and 307 of the Communications Act of 1934, as amended, 47 U.S.C. Sections 154, 302, 303, and 307, unless otherwise noted.

2. Section 2.805 is revised to read as follows:

Section 2.805 Equipment that does not require Commission approval.

In the case of a radio frequency device that, in accordance with the rules in this chapter, does not have to have a grant of equipment authorization issued by the Commission, e.g., a device subject to verification or a Declaration of Conformity, but, nevertheless, must comply with specified technical standards prior to use, no person shall sell or lease, or offer for sale or lease (including advertising for sale or lease), or import, ship or distribute for the purposes of selling or leasing or offering for sale or lease, any such radio frequency device unless, prior thereto, such device complies with the applicable administrative and technical provisions (including verification or Declaration of Conformity of the equipment, where required) specified in the Commission's rules.

3. Section 2.901 is revised to read as follows:

Section 2.901 Basis and purpose.

(a) In order to carry out its responsibilities under the Communications Act and the various treaties and international regulations, and in order to promote efficient use of the radio spectrum, the Commission has developed technical standards for radio frequency equipment and parts or components thereof. The technical standards applicable to individual types of equipment are found in that part of the rules governing the service wherein the equipment is to be operated. In addition to the technical standards provided, the rules governing the service may require that such equipment be verified by the manufacturer or importer, be authorized under a Declaration of Conformity, or receive an equipment authorization from the Commission by one of the following procedures: type approval, type acceptance, certification, registration or notification.

(b) The following sections describe the verification procedure, the procedure for a Declaration of Conformity, and the procedures to be followed in obtaining type approval, type acceptance, certification or notification from the Commission and the conditions attendant to such a grant.

4. A new Section 2.906 is added to read as follows:

Section 2.906 Declaration of Conformity.

(a) A Declaration of Conformity is a procedure where the responsible party, as defined in Section 2.909, makes measurements or takes other necessary steps to ensure that the equipment complies with the appropriate technical standards. Submittal of a sample unit or representative data to the Commission demonstrating compliance is not required unless specifically requested pursuant to Section 2.1076 of this part.

(b) The Declaration of Conformity attaches to all items subsequently marketed by the responsible party which are identical, as defined in Section 2.908 of this part, to the sample tested and found acceptable by the responsible party.

5. Section 2.909 is amended by revising the introductory sentence and by adding a new paragraph (c), to read as follows:

Section 2.909 Responsible party.

The following parties are responsible for the compliance of radio frequency equipment with the applicable standards:

* * * * *

(c) In the case of equipment subject to authorization under the Declaration of Conformity procedure:

(1) The manufacturer or, if the equipment is assembled from individual component parts and the resulting system is subject to authorization under a Declaration of Conformity, the assembler.

(2) If the equipment, by itself, is subject to a Declaration of Conformity and that equipment is imported, the importer.

6. Section 2.913 is revised to read as follows:

Section 2.913 Submittal of equipment authorization application or information to the Commission.

(a) Unless otherwise directed, applications with fees attached for the equipment authorization, pursuant to Section 1.1103 of this chapter, must be submitted to the Federal Communications Commission, Equipment Approval Services, P. O. Box 358315, Pittsburgh, PA 15251-5315. If the applicant chooses to make use of an air courier/package delivery service, the following address must appear on the outside of the package/envelope: Federal Communications Commission, c/o Mellon Bank, Three Mellon Bank Center, 525 William Penn Way, 27th floor, Room 153-2713, Pittsburgh, Pennsylvania 15259-0001, attention: Wholesale Lockbox Supervisor.

(b) Any information or equipment samples requested by the Commission pursuant to the provisions of Subpart J of this part shall, unless otherwise directed, be submitted to the FCC, Equipment Authorization Division, 7434 Oakland Mills Road, Columbia, Maryland 21046.

7. The heading between Sections 2.926 and 2.927 is revised to read "Conditions Attendant to an Equipment Authorization."

8. Section 2.937 is revised to read as follows:

Section 2.937 Equipment defect and/or design change.

When a complaint is filed with the Commission concerning the failure of equipment subject to this chapter to comply with pertinent requirements of the Commission's rules, and the Commission determines that the complaint is justified and arises out of an equipment

fault attributable to the responsible party, the Commission may require the responsible party to investigate such complaint and report the results of such investigation to the Commission. The report shall also indicate what action if any has been taken or is proposed to be taken by the responsible party to correct the defect, both in terms of future production and with reference to articles in the possession of users, sellers and distributors.

9. Section 2.945 is revised to read as follows:

Section 2.945 Sampling tests of equipment compliance.

The Commission will, from time to time, request the responsible party to submit equipment subject to this chapter to determine the extent to which subsequent production of such equipment continues to comply with the data filed by the applicant (or on file with the responsible party for equipment subject to notification or a Declaration of Conformity). Shipping costs to the Commission's laboratory and return shall be borne by the responsible party.

10. Section 2.946 is amended by revising paragraphs (a) and (b), to read as follows:

Section 2.946 Penalty for failure to provide test samples and data.

(a) Any responsible party, as defined in Section 2.909 of this chapter, or any party who markets equipment subject to the provisions of this chapter, shall provide test sample(s) or data upon request by the Commission. Failure to comply with such a request with the time frames shown below may be cause for forfeiture, pursuant to Section 1.80 of Part 1 of this chapter, or other administrative sanctions such as suspending action on any applications for equipment authorization submitted by such party while the matter is being resolved.

(1) When the equipment is subject to authorization under a Declaration of Conformity, data shall be provided within 14 days of delivery of the request and test sample(s) shall be provided within 60 days of delivery of the request.

(2) For all other devices, test sample(s) or data shall be provided within 60 days of the request.

(b) In the case of equipment involving harmful interference or safety of life or property, the Commission may specify that test samples subject to the provisions of this section be submitted within less than 60 days, but not less than 14 days. Failure to comply within the specified time period will be subject to the sanctions specified in paragraph (a) of this section.

* * * * *

11. Section 2.948 is amended by adding new paragraphs (a)(3) and (d), to read as follows:

Section 2.948 Description of measurement facilities.

(a) * * *

* * * * *

(3) If the equipment is to be authorized under a Declaration of Conformity, the description of the measurement facilities shall be retained by the party performing the measurements.

* * * * *

(d) If the equipment is to be authorized under a Declaration of Conformity, the party performing the measurements shall be accredited for performing such measurements by an authorized accreditation body based on the International Organization for Standardization/International Electrotechnical Commission (ISO/IEC) Guide 25, "General Requirements for the Competence of Calibration and Testing Laboratories." Accreditation bodies must be approved by the FCC's Office of Engineering and Technology, as indicated in Section 0.241 of this chapter, to perform such accreditation based on ISO/IEC 58, "Calibration and Testing Laboratory Accreditation Systems - General Requirements for Operation and Recognition." The frequency for revalidation of the test site and the information required to be filed or retained by the testing party shall comply with the requirements established by the accrediting organization. NOTE: Parties that are located outside of the United States or its possessions will be accredited only if there is a mutual recognition agreement between that country and the United States that permits similar accreditation of U.S. facilities to perform testing for products marketed in that country.

12. A new heading "DECLARATION OF CONFORMITY" is placed after Section 2.1065.

13. A new Section 2.1071 is added after the heading "DECLARATION OF CONFORMITY", to read as follows:

Section 2.1071 Cross reference.

The general provisions of this subpart, Section 2.901, et seq., shall apply to equipment subject to a Declaration of Conformity.

14. A new Section 2.1072 is added to read as follows:

Section 2.1072 Limitation on Declaration of Conformity.

(a) The Declaration of Conformity signifies that the responsible party, as defined in Section 2.909 of this part, has determined that the equipment has been shown to comply with the applicable technical standards if no unauthorized change is made in the equipment and if the equipment is properly maintained and operated. Compliance with these standards shall not be construed to be a finding by the responsible party with respect to matters not encompassed by the Commission's rules.

(b) A Declaration of Conformity by the responsible party is effective until a termination date is otherwise established by the Commission.

(c) No person shall, in any advertising matter, brochure, etc., use or make reference to a Declaration of Conformity in a deceptive or misleading manner or convey the impression that such a Declaration of Conformity reflects more than a determination by the responsible party that the device or product has been shown to be capable of complying with the applicable technical standards of the Commission's rules.

15. A new Section 2.1073 is added to read as follows:

Section 2.1073 Responsibilities.

(a) The responsible party, as defined in Section 2.909 of this part, must warrant that each unit of equipment marketed under a Declaration of Conformity is identical to the unit tested and found acceptable with the standards and that the records maintained by the responsible party continue to reflect the equipment being produced under the Declaration of Conformity within the variation that can be expected due to quantity production and testing on a statistical basis.

(b) The responsible party, if different from the manufacturer, may upon receiving a written statement from the manufacturer that the equipment complies with the appropriate technical standards rely on the manufacturer or independent testing agency to determine compliance. However, the test records required by Section 2.1075 of this part shall be in the English language and shall be made available to the Commission upon a reasonable request in accordance with the provisions of Section 2.1076 of this part.

(c) In the case of transfer of control of the equipment, as in the case of sale or merger of the responsible party, the new responsible party shall bear the responsibility of continued compliance of the equipment.

(d) Equipment shall be retested to demonstrate continued compliance with the

applicable technical standards if any modifications or changes that could adversely affect the emanation characteristics of the equipment are made by the responsible party. The responsible party bears responsibility for the continued compliance of subsequently produced equipment.

(e) If any modifications or changes are made by anyone other than the responsible party for the Declaration of Conformity, the party making the modifications or changes, if located within the U.S., becomes the new responsible party. The new responsible party must comply with all provisions for the Declaration of Conformity, including having test data on file demonstrating that the product continues to comply with all of the applicable technical standards.

16. A new Section 2.1074 is added to read as follows:

Section 2.1074 Identification.

Devices subject only to a Declaration of Conformity shall be uniquely identified by the responsible party. This identification shall not be of a format which could be confused with the FCC Identifier required on certified, notified, type accepted or type approved equipment. The responsible party shall maintain adequate identification records to facilitate positive identification for each device.

17. A new Section 2 1075 is added to read as follows:

Section 2.1075 Retention of records.

(a) Except as shown in paragraph (b) of this section, for each product subject to a Declaration of Conformity, the responsible party, as shown in Section 2.909 of this part, shall maintain the records listed below:

(1) A record of the original design drawings and specifications and all changes that have been made that may affect compliance with the requirements of Section 2.1073 of this part.

(2) A record of the procedures used for production inspection and testing (if tests were performed) to insure the conformance required by Section 2.1073 of this part. (Statistical production line emission testing is not required.)

(3) A record of the measurements made on an appropriate test site that demonstrates compliance with the applicable regulations. The record shall contain:

(i) The actual date or dates testing was performed.

(ii) The name of the test laboratory, company, or individual performing the testing. The Commission may request additional information regarding the test site, the test equipment or the qualifications of the company or individual performing the tests.

(iii) A description of how the device was actually tested, identifying the measurement procedure and test equipment that was used.

(iv) A description of the equipment under test (EUT) and support equipment connected to, or installed within, the EUT.

(v) The identification of the EUT and support equipment by trade name and model number and, if appropriate, by FCC Identifier and serial number.

(vi) The types and lengths of connecting cables used and how they were arranged or moved during testing.

(vii) At least two photographs showing the test set-up for the highest line conducted emission and showing the test set-up for the highest radiated emission. These photographs must be focused originals which show enough detail to confirm other information contained in the test report.

(viii) A description of any modifications made to the EUT by the testing company or individual to achieve compliance with the regulations.

(ix) All of the data required to show compliance with the appropriate regulations.

(x) The signature of the individual responsible for testing the product along with the name and signature of an official of the responsible party, as designated in Section 2.909 of this part.

(xi) A copy of the compliance information, as described in Section 2.1077 of this chapter, required to be provided with the equipment.

(b) If the equipment is assembled using modular components that, by themselves, are subject to authorization under a Declaration of Conformity and/or a grant of certification, and the assembled product is also subject to authorization under a Declaration of Conformity but, in accordance with the applicable regulations, does not require additional testing, the assembler shall maintain the records listed below in order to show the basis on which compliance with the standards was determined:

(1) A listing of all of the components used in the assembly.

(2) Copies of the compliance information, as described in Section 2.1077 of this chapter, for all of the modular components used in the assembly.

(3) A listing of the FCC Identifier numbers for all of the components used in the assembly that are authorized under a grant of certification.

(4) A listing of equipment modifications, if any, that were made during assembly.

(5) A copy of any instructions included with the components that were required to be followed to ensure the assembly of a compliant product, along with a statement, signed by the assembler, that these instructions were followed during assembly. This statement shall also contain the name and signature of an official of the responsible party, as designated in Section 2.909 of this part.

(c) The records listed in paragraphs (a) and (b) of this section shall be retained for two years after the manufacture or assembly, as appropriate, of said equipment has been permanently discontinued, or until the conclusion of an investigation or a proceeding if the responsible party is officially notified that an investigation or any other administrative proceeding involving the equipment has been instituted. Requests for the records described in this section and for sample units also are covered under the provisions of Section 2.946 of this part.

18. A new Section 2.1076 is added to read as follows:

Section 2.1076 FCC inspection and submission of equipment for testing.

(a) Each responsible party, upon receipt of a reasonable request, shall submit to the Commission the records required by Section 2.1075 of this part or one or more sample units for measurements at the Commission's laboratory.

(b) Shipping costs to the Commission's Laboratory and return shall be borne by the responsible party. In the event the responsible party believes that shipment of the sample to the Commission's Laboratory is impractical because of the size or weight of the equipment, or the power requirement, or for any other reason, the responsible party may submit a written explanation why such shipment is impractical and should not be required.

19. A new Section 2.1077 is added to read as follows:

Section 2.1077 Compliance information.

(a) If a product must be tested and authorized under a Declaration of Conformity, a

compliance information statement shall be supplied with the product at the time of marketing or importation, containing the following information:

(1) Identification of the product, e.g., name and model number.

(2) A statement, similar to that contained in Section 15.19(a)(3) of this chapter, that the product complies with Part 15 of the regulations.

(3) The identification, by name, address and telephone number, of the responsible party, as defined in Section 2.909 of this chapter. The responsible party for a Declaration of Conformity must be located within the United States.

(b) If a product is assembled from modular components that, by themselves, are authorized under a Declaration of Conformity and/or a grant of certification, and the assembled product is also subject to authorization under a Declaration of Conformity but, in accordance with the applicable regulations, does not require additional testing, the product shall be supplied, at the time of marketing or importation, with a compliance information statement containing the following information:

(1) Identification of the modular components used in the assembly. A modular component authorized under a Declaration of Conformity shall be identified as specified in paragraph (a)(1) of this section. A modular component authorized under a grant of certification shall be identified by name and model number (if applicable) along with the FCC Identifier number.

(2) A statement that the product complies with Part 15 of the regulations.

(3) The identification, by name, address and telephone number, of the responsible party who assembled the product from modular components, as defined in Section 2.909 of this chapter. The responsible party for a Declaration of Conformity must be located within the United States.

(4) Copies of the compliance information statements for each modular component used in the system that is authorized under a Declaration of Conformity.

(c) The compliance information statement shall be included in the user's manual or as a separate sheet.

C. Title 47 of the Code of Federal Regulations, Part 15, is amended as follows:

1. The authority citation for Part 15 continues to read as follows:

Authority: Sec. 4, 302, 303, 304, and 307 of the Communications Act of 1934, as

amended, 47 U.S.C. Sections 154, 302, 303, 304, and 307.

2. Section 15.3 is amended by revising paragraph (r) and adding a new paragraph (bb), to read as follows:

Section 15.3 Definitions.

* * * *

(r) Peripheral device. An input/output unit of a system that feeds data into and/or receives data from the central processing unit of a digital device. Peripherals to a digital device include any device that is connected external to the digital device, any device internal to the digital device that connects the digital device to an external device by wire or cable, and any circuit board designed for interchangeable mounting, internally or externally, that increases the operating or processing speed of a digital device, e.g., "turbo" cards and "enhancement" boards. Examples of peripheral devices include terminals, printers, external floppy disk drives and other data storage devices, video monitors, keyboards, interface boards, external memory expansion cards, and other input/output devices that may or may not contain digital circuitry. This definition does not include CPU boards, as defined in paragraph (bb) of this section, even though a CPU board may connect to an external keyboard or other components.

* * * *

(bb) CPU board. A circuit board that contains a microprocessor, or frequency determining circuitry for the microprocessor, the primary function of which is to execute user-provided programming, but not including: (1) a circuit board that contains only a microprocessor intended to operate under the primary control or instruction of a microprocessor external to such a circuit board; or, (2) a circuit board that is a dedicated controller for a storage or input/output device.

3. Section 15.19 is amended by redesignating paragraph (b) as paragraph (a)(4), by redesignating paragraph (c) as paragraph (a)(5), by revising paragraphs (a)(4) and (a)(5), and by adding new paragraphs (b) and (c), to read as follows:

Section 15.19 Labelling requirements.

(a) * * *

* * * *

(4) Where a device is constructed in two or more sections connected by wires

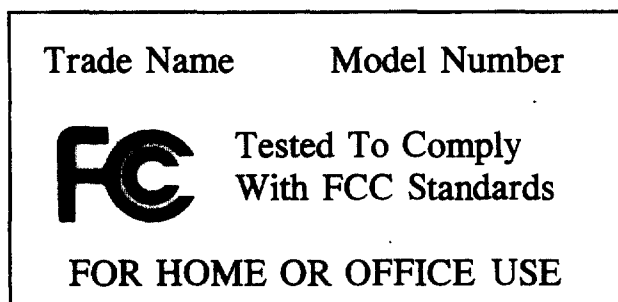
and marketed together, the statement specified under paragraph (a) of this section is required to be affixed only to the main control unit.

(5) When the device is so small or for such use that it is not practicable to place the statement specified under paragraph (a) of this section on it, the information required by this paragraph shall be placed in a prominent location in the instruction manual or pamphlet supplied to the user or, alternatively, shall be placed on the container in which the device is marketed. However, the FCC identifier or the unique identifier, as appropriate, must be displayed on the device.

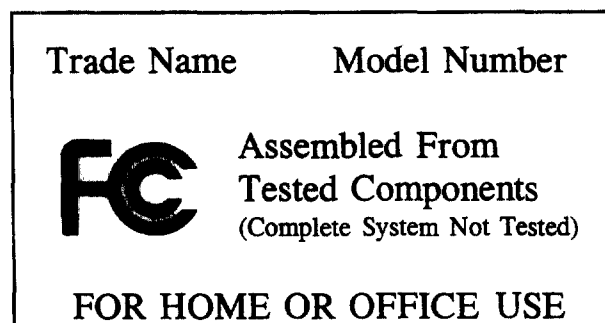
(b) Products subject to authorization under a Declaration of Conformity shall be labelled as follows:

(1) The label shall be located in a conspicuous location on the device and shall contain the unique identification described in Section 2.1074 of this chapter and the following logo:

(i) If the product is authorized based on testing of the product or system:



(ii) If the product is authorized based on assembly using separately authorized components and the resulting product is not separately tested:



(2) When the device is so small or for such use that it is not practicable to place the statement specified under paragraph (b)(1) of this section on it, such as for a CPU board or a plug-in circuit board peripheral device, the text associated with the logo may be placed in a prominent location in the instruction manual or pamphlet supplied to the user. However, the unique identification (trade name and model number) and the logo must be displayed on the device.

(3) The label shall not be a stick-on, paper label. The label on these products shall be permanently affixed to the product and shall be readily visible to the purchaser at the time of purchase, as described in Section 2.925(d) of this chapter. "Permanently affixed" means that the label is etched, engraved, stamped, silkscreened, indelibly printed, or otherwise permanently marked on a permanently attached part of the equipment or on a nameplate of metal, plastic, or other material fastened to the equipment by welding, riveting, or a permanent adhesive. The label must be designed to last the expected lifetime of the equipment in the environment in which the equipment may be operated and must not be readily detachable.

(c) [reserved]

* * * * *

4. A new Section 15.32 is added, to read as follows:

Section 15.32 Test procedures for CPU boards and computer power supplies.

Power supplies and CPU boards used with personal computers and for which separate authorizations are required to be obtained shall be tested as follows:

(a) CPU boards shall be tested as follows:

(1) Testing for radiated emissions shall be performed with the CPU board installed in a typical enclosure but with the enclosure's cover removed so that the internal circuitry is exposed at the top and on at least two sides. Additional components, including a power supply, peripheral devices, and subassemblies, shall be added, as needed, to result in a complete personal computer system. If the oscillator and the microprocessor circuits are contained on separate circuit boards, both boards, typical of the combination that would normally be employed, must be used in the test. Testing shall be in accordance with the procedures specified in Section 15.31 of this part. Under these test conditions, the system under test shall not exceed the radiated emission limits specified in Section 15.109 of this part by more than 3 dB.

(2) Unless the test in paragraph (a)(1) of this section demonstrates compliance with the limits in Section 15.109 of this part, a second test shall be performed using the same

configuration described above but with the cover installed on the enclosure. Testing shall be in accordance with the procedures specified in Section 15.31 of this part. Under these test conditions, the system under test shall not exceed the radiated emission limits specified in Section 15.109 of this part.

(3) The test demonstrating compliance with the AC power line conducted limits specified in Section 15.107 of this part shall be performed in accordance with the procedures specified in Section 15.31 using a enclosure, peripherals, power supply and subassemblies that are typical of the type with which the CPU board under test would normally be employed.

(b) The power supply shall be tested installed in an enclosure that is typical of the type within which it would normally be installed. Additional components, including peripheral devices, a CPU board, and subassemblies, shall be added, as needed, to result in a complete personal computer system. Testing shall be in accordance with the procedures specified in Section 15.31 and must demonstrate compliance with all of the standards contained in this part.

5. Section 15.37 is amended by adding a new paragraph (g), to read as follows:

Section 15.37 Transition provisions for compliance with the rules.

* * * * *

(g) For CPU boards and power supplies designed to be used with personal computers: The manufacture and importation of these products shall cease on or before **[insert date 12 months after date of publication in the Federal Register]** unless these products have been authorized under a Declaration of Conformity or a grant of certification, demonstrating compliance with all of the provisions in this Part. Limited provisions, as detailed in Section 15.101(d) of this Chapter, are provided to permit the importation and manufacture of these products subsequent to this date where the CPU boards and/or power supplies are marketed only to personal computer equipment manufacturers.

6. Section 15.101 is amended by revising the table in paragraph (a) and the text of paragraphs (c), (d), (e), and (f), to read as follows:

Section 15.101 Equipment authorization of unintentional radiators.

(a) * * *

Type of Device	Equipment Authorization Required
TV broadcast receiver.....	Verification
FM broadcast receiver... ..	Verification
CB receiver.....	Certification
Superregenerative receiver.....	Certification
Scanning receiver.....	Certification
All other receivers subject to Part 15.....	Notification
TV interface device.....	Certification
Cable system terminal device.....	Notification
Stand-alone cable input selector switch..	Verification
Class B personal computers and peripherals.....	Declaration of Conformity or Certification
CPU boards and power supplies used with Class B personal computers.....	Declaration of Conformity or Certification
Class B personal computers assembled using authorized CPU boards or power supplies.....	Declaration of Conformity
Class B external switching power supplies not used with personal computers.....	Verification
Other Class B digital devices & peripherals.....	Verification
Class A digital devices, peripherals & external switching power supplies.....	Verification
All other devices.....	Verification

(b) * * *

(c) Personal computers shall be authorized in accordance with one of the following methods:

(1) The specific combination of CPU board, power supply and enclosure is tested together and authorized under a Declaration of Conformity or a grant of certification;

(2) The personal computer is authorized under a Declaration of Conformity or a grant of certification, and the CPU board or power supply in that computer is replaced with

a CPU board or power supply that has been separately authorized under a Declaration of Conformity or a grant of certification; or,

(3) The CPU board and power supply used in the assembly of a personal computer have been separately authorized under a Declaration of Conformity or a grant of certification.

(4) Personal computers assembled using either of the methods specified in paragraphs (c)(2) or (c)(3) of this section must, by themselves, also be authorized under a Declaration of Conformity if they are marketed. However, additional testing is not required for this Declaration of Conformity, provided the procedures in Section 15.102(b) of this chapter are followed.

(d) Peripheral devices, as defined in Section 15.3(r), shall be authorized under a Declaration of Conformity, or a grant of certification, or verified, as appropriate, prior to marketing. Regardless of the provisions of paragraphs (a) or (c) of this section, if a CPU board, power supply, or peripheral device will always be marketed with a specific personal computer, it is not necessary to obtain a separate authorization for that product provided the specific combination of personal computer, peripheral device, CPU board and power supply has been authorized under a Declaration of Conformity or a grant of certification as a personal computer.

(1) No authorization is required for a peripheral device or a subassembly that is sold to an equipment manufacturer for further fabrication; that manufacturer is responsible for obtaining the necessary authorization prior to further marketing to a vendor or to a user.

(2) Power supplies and CPU boards that have not been separately authorized and are designed for use with personal computers may be imported and marketed only to a personal computer equipment manufacturer that has indicated, in writing, to the seller or importer that they will obtain a Declaration of Conformity or a grant of certification for the personal computer employing these components.

(e) Subassemblies to digital devices are not subject to the technical standards in this part unless they are marketed as part of a system in which case the resulting system must comply with the applicable regulations. Subassemblies include:

(1) Devices that are enclosed solely within the enclosure housing the digital device, except for: power supplies used in personal computers; devices included under the definition of a peripheral device in Section 15.3(r); and personal computer CPU boards, as defined in Section 15.3(bb);

(2) CPU boards, as defined in Section 15.3(bb), other than those used in personal computers, that are marketed without an enclosure or power supply; and,

(3) Switching power supplies that are separately marketed and are solely for use internal to a device other than a personal computer.

(f) The procedures for obtaining a grant of certification or notification and for verification and a Declaration of Conformity are contained in Subpart J of Part 2 of this chapter.

7. A new Section 15.102 is added to read as follows:

Section 15.102 CPU boards and power supplies used in personal computers.

(a) Authorized CPU boards and power supplies that are sold as separate components shall be supplied with complete installation instructions. These instructions shall specify all of the installation procedures that must be followed to ensure compliance with the standards, including, if necessary, the type of enclosure, e.g., a metal enclosure, proper grounding techniques, the use of shielded cables, the addition of any needed components, and any necessary modifications to additional components.

(1) Any additional parts needed to ensure compliance with the standards, except for the enclosure, are considered to be special accessories and, in accordance with Section 15.27 of this part, must be marketed with the CPU board or power supply.

(2) Any modifications that must be made to a personal computer, peripheral device, CPU board or power supply during installation of a CPU board or power supply must be simple enough that they can be performed by the average consumer. Parts requiring soldering, disassembly of circuitry or other similar modifications are not permitted.

(b) Assemblers of personal computer systems employing modular CPU boards and/or power supplies are not required to test the resulting system provided the following conditions are met:

(1) Each device used in the system has been authorized as required under this part (Note: according to Section 15.101(e), some subassemblies used in a personal computer system may not require an authorization);

(2) The original label and identification on each piece of equipment remain unchanged;

(3) Each responsible party's instructions to ensure compliance (including, if necessary, the use of shielded cables or other accessories or modifications) are followed when the system is assembled; and,

(4) If the system is marketed, the resulting equipment combination is

authorized under a Declaration of Conformity pursuant to Section 15.101(c)(4) of this part and a compliance information statement, as described in Section 2.1077(b) of this chapter, is supplied with the system. Marketed systems shall also comply with the labelling requirements in Section 15.19 of this part and must be supplied with the information required under Sections 15.21, 15.27 and 15.105 of this part.

(5) The assembler of a personal computer system may be required to test the system and/or make necessary modifications if a system is found to cause harmful interference or to be noncompliant with the appropriate standards in the configuration in which it is marketed (see Sections 2.909, 15.1, 15.27(d) and 15.101(e) of this Chapter).